

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Patrick Ryan Grande,

File No. 18-cv-02904 (ECT/KMM)

Plaintiff,

v.

State of MN; Emily Piper Johnson,  
Commissioner of Health and Human  
Services; Governor Mark Dayton,  
State of Minnesota; AMFSCME Council 5;  
Dr. Thomas Gratzner; Dr. William Ericson;  
Dr. Michael Farnsworth;  
Dr. Stanley Shapiro,

**ORDER ACCEPTING REPORT  
AND RECOMMENDATION**

Defendants.

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The Court has received the April 1, 2019 Report and Recommendation of United States Magistrate Judge Katherine Menendez. ECF No. 11. No party has objected to that Report and Recommendation, and the Court therefore reviews it for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Finding no clear error, and based upon all of the files, records, and proceedings in the above-captioned matter, **IT IS HEREBY ORDERED THAT:**

1. The Report and Recommendation [ECF No. 11] is **ACCEPTED**;
2. Plaintiff's complaint [ECF No. 1] shall be **DISMISSED WITHOUT PREJUDICE** for failure to prosecute pursuant to Fed. R. Civ. P. 41(b).

Dated: April 23, 2019

s/ Eric C. Tostrud  
Eric C. Tostrud  
United States District Court